



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Attorney Dkt. No. 011210-0304563

ENGELLEN et al.

Confirmation No. 8655

Application No. 10/608,502

Group Art Unit:

Filed: June 30, 2003

Examiner:

FOR: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

ATTENTION: OFFICE OF PETITIONS

06/30/2004 LWONDIM1 00000071 10608502

01 FC:1460

Sir:

130.00 DA

PETITION TO THE COMMISSIONER

In reply to the Notice to Incomplete Reissue Application dated June 1, 2004 (copy enclosed), Applicants respectfully submit that the specification for the above-identified reissue application was in fact deposited in the United States Patent and Trademark Office (PTO) on June 30, 2003.

As evidenced by the enclosed copy of the PTO date stamped post card receipt, a Reissue Patent Application Transmittal, along with *the specification, including claims of the patent for which reissue is requested (in double column format pursuant to 37 C.F.R. §1.173(a)(1))*, a facsimile copy of the executed Reissue Declaration, a Preliminary Amendment and Statement Pursuant to 37 C.F.R. § 1.173(s) and Application Data Sheet, are indicated as having been received by the PTO. For convenience, Applicants also provide herewith a complete copy of Applicants' June 30<sup>th</sup> filing.

Applicants respectfully submit that they have established receipt in the PTO of the specification and request that the application be granted a filing date of June 30, 2004.

Applicants authorize the Commissioner to charge the requisite \$130 petition fee under 37 C.F.R. §1.17(h) to our Deposit Account No. 03-3975 under Order No. 11210/304563. However, it is respectfully submitted that the petition fee be refunded since the specification was in fact received by the PTO.



PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00

## Complete if Known

Application Number	10/608,502
Filing Date	June 30, 2003
First Named Inventor	ENGELN ET AL.
Examiner Name	
Art Unit	2753
Attorney Docket No.	011210-0304563

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	Multiple Dependent	-20** =	-3** =	X	X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
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1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
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1451	1,510	1451	1,510	Petition to institute a public use proceeding	
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1453	1,330	2453	665	Petition to revive - unintentional	
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1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
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1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

## SUBMITTED BY

Name (Print/Type)	Christine H. McCarthy	Registration No. (Attorney/Agent)	41844	Telephone	(703) 905-2143
Signature		Date	June 28, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: New Reissue of USPN 6423477  
Inventor(s) ENGELLEN ET AL.  
Title: Method of Manufacturing a Stamper...

Atty \_\_\_\_\_  
Date 06/30/03  
C# 008895  
M# 0304563

ENCLOSED:

- ☐ Amendment      ☐ Appendix      ☐ Cover sheet
- # 1 No. of Pages Abstract
- # 4 No. of Pages Spec and Claims
- # 11 No. of numbered Claims only
- ☒ Reissue Declaration (4 #pgs)
- ☐ Assignment    ☐ Cover Sheet
- # 1 No. of Priority Document
- #    No. Sheets Drawings (Fig(s) 1 to   )    ☐ 1 set Formal
- ☐ IDS Letter    ☐ cited Appl(s)    ☐ Foreign sch rept./OA
- ☐ PTO-1449    ☐ cited docs.

\$ 750.00 To be charged to Dep. Acct. No. 03-3975  
NOTE: SPECIFICATION IS A COPY OF USPN 6423477



CURRENT DUE DATE: \_\_\_\_\_

PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

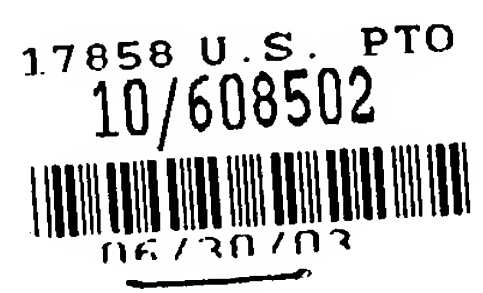
Appln. No: New Reissue of USPN 6423477  
Inventor(s) ENGELLEN ET AL.  
Title: Method of Manufacturing a Stamper...

Atty JSB/AJM  
Date 06/30/03  
C# 008895  
M# 0304563

ENCLOSED:

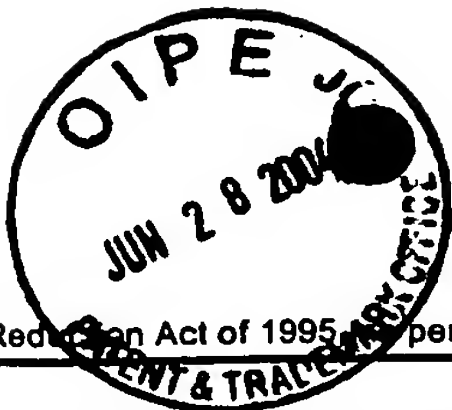
- ☐ Amendment      ☐ Appendix      ☐ Cover sheet
- # 1 No. of Pages Abstract
- # 4 No. of Pages Spec and Claims
- # 11 No. of numbered Claims only
- ☒ Reissue Declaration (4 #pgs)
- ☐ Assignment    ☐ Cover Sheet
- # 1 No. of Priority Document
- #    No. Sheets Drawings (Fig(s) 1 to   )    ☐ 1 set Formal
- ☐ IDS Letter    ☐ cited Appl(s)    ☐ Foreign sch rept./OA
- ☐ PTO-1449    ☐ cited docs.

\$ 750.00 To be charged to Dep. Acct. No. 03-3975  
NOTE: SPECIFICATION IS A COPY OF USPN 6423477



CURRENT DUE DATE: \_\_\_\_\_

**COPY**



PTO/SB/50 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REISSUE PATENT APPLICATION TRANSMITTAL**

<b>Address to:</b>  <b>Assistant Commissioner for Patents Box Reissue Washington, DC 20231</b>	<b>Attorney Docket No.</b>	P304563-WIT/P58129US00
	<b>First Named Inventor</b>	Thomas Wilhelmus Engelen
	<b>Original Patent Number</b>	6,423,477
	<b>Original Patent Issue Date (Month/Day/Year)</b>	07/23/2002
	<b>Express Mail Label No.</b>	

**APPLICATION FOR REISSUE OF:**

(Check applicable box)



Utility Patent



Design Patent



Plant Patent

**APPLICATION ELEMENTS (37 CFR 1.173)**

1. ☒ **Fee Transmittal Form (PTO/SB/56)**  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent format (amended, if appropriate)
4. ☐ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☐ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No  
(If Yes, check applicable box(es))
  - ☐ Written Consent of all Assignees (PTO/SB/53)
  - ☐ 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all of the following are necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

10. ☒ Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
  - ☐ Ribbonded Original Patent Grant
  - ☐ Statement of Loss (PTO/SB/55)
12. ☒ Foreign Priority Claim (35 U.S.C. 119) (if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☐ English Translation of Reissue Oath/Declaration (if applicable)
15. ☒ Preliminary Amendment
16. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
17. Other: \_\_\_\_\_

**18. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

00909



Correspondence address below

(Insert Customer No. or Attach bar code label here)

<b>Name</b>					
<b>Address</b>				<b>Zip Code</b>	
<b>City</b>		<b>State</b>		<b>Fax</b>	
<b>Country</b>			<b>Telephone</b>		

<b>NAME (Print/Type)</b>	Jack S. Barufka	<b>Registration No. (Attorney/Agent)</b>	37087
<b>Signature</b>		<b>Date</b>	06/30/2003

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**COPY**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re APPLICATION FOR REISSUE OF

U.S. Patent 6,423,477

Granted: July 23, 2002

INVENTORS: Engelen et al.

Group Art Unit: 1756

Appln. No.: 09/529,011

Examiner: McPherson, J.

Original Application Filed: June 26, 2000

Title: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING  
OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC  
OBTAINED BY USING SUCH A STAMPER

June 30, 2003

\* \* \* \* \*

**PRELIMINARY AMENDMENT AND**  
**STATEMENT PURSUANT TO 37 C.F.R. § 1.173(c)**

Mail Stop Reissue  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to the examination of this application for reissue of U.S. Patent No. 6,423,477,  
please amend the application as follows.

**COPY**

**IN THE SPECIFICATION:**

**On page 1, column 1, below the title, please insert the following text:**

This application is the National Phase of International Application No. PCT/NL98/00576, which was filed on October 7, 1998 and was published in English under Article 21(2).



REMARKS

Claims 1-11 are pending in this application for reissue of U.S. Patent No. 6,423,477. By this amendment, Applicants have amended the first sentence of the specification to recite domestic priority information, as required by 37 C.F.R. § 1.78(a)(2). Additionally, in an amendment physically incorporated into the reissue application specification, Applicants have amended claim 1 to remove the phrase "heating the photoresist film;" (that phrase is found at column 7, line 7).

Support for the amendment to claim 1 can be found, *inter alia*, in the examples of column 4, line 65 through column 6, line 64 of the specification. More particularly, support can be found in the table in column 5, lines 13-23, describing the process parameters for example 1. None of those examples require heating the photoresist film after development but before additional exposure.

Early and favorable action on this reissue application are respectfully requested. If any questions arise, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Pillsbury Winthrop LLP

By: 

Jack S. Barufka

Reg. No.: 37087

Tel. No.: (703) 905-2012

Fax No.: (703) 905-2500

JSB\AM  
1600 Tysons Boulevard  
McLean, VA 22102  
(703) 905-2000

Attorney Docket No. 008895-0266945  
Client Reference: WIT/P58129US00

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application for reissue U.S. Patent No. 6,423,477 of THOMAS WILHEMUS ENGELEN et al.

Application No.: 09/529,011  
Filed: June 26, 2000

Confirmation No: 8634  
Group No.: 1756  
Examiner McPherson, J.

For: A METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS,  
A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH  
A STAMPER

June 30, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION DATA SHEET**  
**37 C.F.R. § 1.76**

**BIBLIOGRAPHIC DATA**

**1. Applicant information**

First applicant: THOMAS WILHEMUS ENGELEN  
Citizenship: THE NETHERLANDS  
Residence: Alkmaar, The Netherlands  
Address 1: Boezemsingel 5  
Address 2: 1821 AH Alkmaar  
Address 3: The Netherlands

Second applicant: WALTER T.M. STALS  
Citizenship: THE NETHERLANDS  
Residence: Weert, The Netherlands  
Address 1: Buitenwiek 14  
Address 2: 6003 CS Weert  
Address 3: The Netherlands

Third applicant: JACOBUS J.T.T. VERMEIJLEN  
Citizenship: THE NETHERLANDS  
Residence: Helmond, The Netherlands  
Address 1: Kalmoesbeek 2  
Address 2: 5709 PV Helmond  
Address 3: The Netherlands

**COPY**



**2. Correspondence information**

Correspondence for this application should be addressed as follows:

Pillsbury Winthrop LLP  
P.O. Box 10500  
McLean, VA 22102

Customer No.: 00909

**3. Application information**

Title of Invention: A METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

Docket number assigned to this application: 008895-0304563

Suggested Classification: Class: 430

Subclass: 321

Technology Center to which subject matter is assigned: 1756

Total number of drawing sheets: 0

Type of application:

Reissue

**4. Representative information**

The following have a power of attorney or authorization of agent in this application:

The practitioners associated with Customer No.: 00909

**5. Domestic Priority information**

The patent for which reissue is sought is the National Phase of International Application No. PCT/NL98/00576, filed on October 7, 1998.

**6. Foreign priority information**

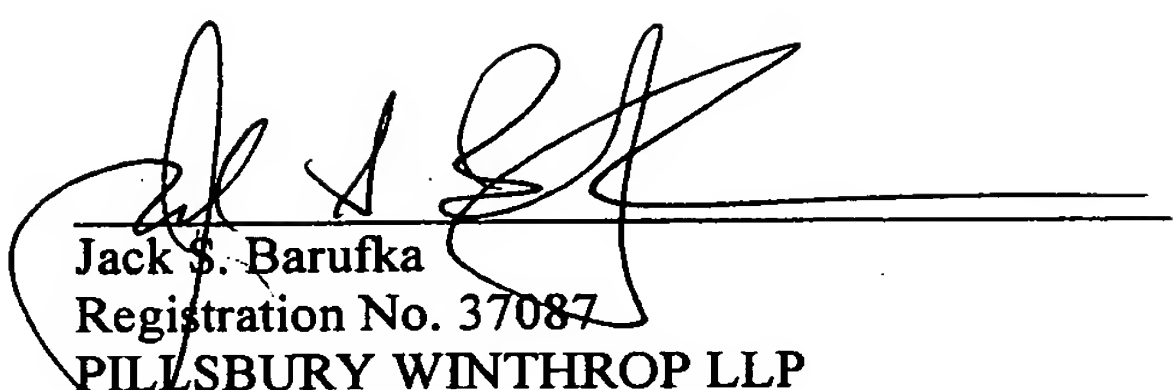
Foreign priority is claimed as follows:

Country: The Netherlands  
Application No.: 1007216  
Filing Date: October 7, 1997

**7. Assignee information**

The assignee of the patent for which reissue is sought is:

OTB Group B.V.  
Luchthavenweg 10  
5657 EB Eindhoven, The Netherlands  
Extent of interest of assignee: entire



Jack S. Barufka  
Registration No. 37087  
PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2012

Customer No. 00909



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PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00

## Complete if Known

Application Number	09/529,011 (U.S. Patent No. 6,423,477)
Filing Date	June 26, 2000
First Named Inventor	THOMAS WILHEMUS ENGELEN
Examiner Name	McPherson, J.
Art Unit	1756
Attorney Docket No.	008895-0304563

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

033975

PILLSBURY WINTHROP LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
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SUBTOTAL (1) (\$ 750.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	11	-20** =	0	X		=	0
Independent Claims	1	X** =	0	X		=	0
Multiple Dependent		-1**				=	

Large Entity		Small Entity		Fee Description
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\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

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1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$

## SUBMITTED BY

Name (Print/Type)

Jack S. Barufka

Registration No.  
(Attorney/Agent)

37087

Telephone

(703) 905-2012

Signature

Date

June 30, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Docket Number (Optional)  
P266845-W11/P58129US00

## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) \_\_\_\_\_ Registration Number \_\_\_\_\_  
The practitioners associated with Customer Number 00909

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

00909

Type Customer Number here

Place Customer Number Bar  
Code Label here☐ Firm or  
Individual Name

Address

Address

City

State

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

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